

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DEBRA MAYS JACKSON

PLAINTIFF

v.

CAUSE NO. 3:23-cv-03095-KHJ-MTP

TOM DUFF, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES, STEVEN
CUNNINGHAM, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES, BRUCE MARTIN, IN
HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
JEANNE CARTER, IN HER INDIVIDUAL AND
OFFICIAL CAPACITIES, CHIP MORGAN, IN HIS
INDIVIDUAL AND OFFICIAL CAPACITIES, GEE
OGLETREE, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES, HAL PARKER, IN HIS
INDIVIDUAL AND OFFICIAL CAPACITIES, J.
WATT STARR, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES, ALFRED MCNAIR, IN
HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
SHANE HOOPER, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES, FORD DYE, IN HIS
INDIVIDUAL AND OFFICIAL CAPACITIES,
ALFRED RANKINS JR., IN HIS INDIVIDUAL
AND OFFICIAL CAPACITIES, MISSISSIPPI
INSTITUTION OF HIGHER LEARNING, AND
JOHN DOES 1-12

DEFENDANTS

JOINDER IN DEFENDANTS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME

Defendant Mississippi Board of Trustees of State Institutions of Higher Learning (“IHL”), incorrectly named as Mississippi Institution of Higher Learning, along with defendants Tom Duff, Steven Cunningham, Bruce Martin, Jeanne Carter, Chip Morgan, Gee Ogletree, Hal Parker, J. Walt Starr, Alfred McNair, Shane Hooper, and Ford Dye, all in their official capacities as members of the IHL Board, (collectively referred to herein as the “Board Members”) and Alfred Rankins Jr. in his official capacity as Commissioner (the

“Commissioner”), file this Joinder in Defendants’ Unopposed Motion for Enlargement of Time [dkt. #5], and in support thereof, would show as follows:

1. Plaintiff Debra Mays Jackson (“Jackson”) filed her Complaint [dkt. #1] on November 16, 2023, and she filed her First Amended Complaint [dkt. #2] on November 17, 2023. Counsel for Jackson has indicated a desire to file a Second Amended Complaint. Jackson has not yet served IHL, the Board Members, or the Commissioner in this action; only Bruce Martin has been served in his individual capacity.

2. Counsel for IHL, the Board Members, and the Commissioner (together, the “State Defendants”) has agreed to accept service on behalf of the said defendants if they are allowed forty-five (45) days from the date that Jackson’s proposed Second Amended Complaint is filed to file their responsive pleadings in this action. Alternatively, if Jackson fails to file a Second Amended Complaint within the time allowed by the Court to do so, the State Defendants request that they be allowed forty-five (45) days from the last day of the said period to answer or otherwise respond to Jackson’s First Amended Complaint.

3. Thus, the State Defendants join in the requests made in the Defendants’ Unopposed Motion for Enlargement of Time [dkt. #5] and incorporate by reference all the contents of that motion herein.

4. The requested relief is not made for purposes of delay, is unopposed, and no party will be prejudiced if the relief requested is granted. If granted, Jackson would be spared the time and expense of serving the remaining defendants, Jackson would be able to amend her complaint before considerable time and resources are spent responding to the current operative complaint, and responsive deadlines would be the same for all defendants, thereby simplifying subsequent timelines for all parties.

5. The defendants expressly reserve all rights and defenses available to them, including but not limited to immunity defenses, which are not waived by the filing of this joinder.

Dated: February 1, 2024

Respectfully Submitted,

MISSISSIPPI BOARD OF TRUSTEES
OF STATE INSTITUTIONS OF HIGHER
LEARNING, TOM DUFF IN HIS OFFICIAL
CAPACITY, STEVEN CUNNINGHAM IN HIS
OFFICIAL CAPACITY, BRUCE MARTIN IN HIS
OFFICIAL CAPACITY, JEANNE CARTER IN
HER OFFICIAL CAPACITY, CHIP MORGAN IN
HIS OFFICIAL CAPACITY, GEE OGLETREE IN
HIS OFFICIAL CAPACITY, HAL PARKER IN
HIS OFFICIAL CAPACITY, J. WALT STARR IN
HIS OFFICIAL CAPACITY, ALFRED MCNAIR
IN HIS OFFICIAL CAPACITY, SHANE
HOOPER IN HIS OFFICIAL CAPACITY, FORD
DYE IN HIS OFFICIAL CAPACITY, AND
ALFRED RANINS, JR. IN HIS OFFICIAL
CAPACITY

By: /s/ Ashlyn B. Matthews
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CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to the following:

Lisa M. Ross
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Pope S. Mallette
pmallette@mayomallette.com

Dated: February 1, 2024

/s/ Ashlyn B. Matthews
Ashlyn B. Matthews